

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----In the Matter of----

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding To  
Investigate Implementing a  
Decoupling Mechanism for Hawaiian  
Electric Company, Inc., Hawaii  
Electric Light Company, Inc.,  
and Maui Electric Company,  
Limited.

DOCKET NO. 2008-0274

ORDER

FILED

2010 FEB 19 A 11:46

PUBLIC UTILITIES  
COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

-----In the Matter of-----	)	
	)	
PUBLIC UTILITIES COMMISSION	)	Docket No. 2008-0274
	)	
Instituting a Proceeding To	)	
Investigate Implementing a	)	
Decoupling Mechanism for Hawaiian	)	
Electric Company, Inc., Hawaii	)	
Electric Light Company, Inc.,	)	
and Maui Electric Company,	)	
Limited.	)	
_____	)	

ORDER

By this Order, the commission approves the Joint Final Statement of Position of the HECO Companies and Consumer Advocate,<sup>1</sup> filed on May 11, 2009, as amended by filings on June 25, 2009 and July 13, 2009, and as subsequently modified by the proposals in the HECO Companies' Motion for Interim Approval of a Decoupling Mechanism, filed on November 25, 2009, to the extent agreed-upon by the HECO Companies and the Consumer Advocate, as indicated in the present docket record, subject to

---

The "HECO Companies" refers to Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited; the "Consumer Advocate" refers to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy. The remaining parties to this proceeding are: the Department of Business, Economic Development, and Tourism ("DBEDT"), Haiku Design and Analysis ("HDA"), Hawaii Renewable Energy Alliance ("HREA"), Hawaii Solar Energy Association ("HSEA"), and Blue Planet Foundation ("Blue Planet"). In addition, Hawaii Holdings, LLC dba First Wind Hawaii is a participant in this docket. The HECO Companies, Consumer Advocate, DBEDT, HDA, HREA, HSEA, and Blue Planet are collectively referred to as the "Parties."

the commission's issuance of a Final Decision and Order in this matter. Accordingly, pursuant to Hawaii Administrative Rules ("HAR") § 6-61-120, the commission hereby instructs the HECO Companies and the Consumer Advocate to jointly prepare and file a Proposed Final Decision and Order consistent with this Order, with proposed findings of fact and conclusions of law, as soon as practicable, but no later than thirty days from the date of this Order, for the commission's review and approval.<sup>2</sup> All other Parties will have an opportunity to comment on the Proposed Final Decision and Order within five days of service or such other period ordered by the presiding officer pursuant to HAR § 6-61-120(a).

---

<sup>2</sup>See HAR § 6-61-120:

(a) Whenever the commission requests one or more of the parties to draft an order, prehearing order, or proposed decision and order, the party or parties drafting the order, prehearing order, or proposed decision and order shall serve a copy on all other parties, and an opportunity shall be given to opposing attorneys or parties to present comments with respect thereto. The comments on the draft shall be submitted within five days of service or such other period ordered by the presiding officer.

(b) All proposed decisions and orders shall include proposed findings of fact and conclusions of law.

DONE at Honolulu, Hawaii FEB 19 2010.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By John E. Cole  
John E. Cole, Commissioner

By \_\_\_\_\_  
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Kaiulani Kidani Shinsato  
Kaiulani Kidani Shinsato  
Commission Counsel

2008-0274.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

DEAN NISHINA  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

DEAN K. MATSUURA  
MANAGER, REGULATORY AFFAIRS  
HAWAIIAN ELECTRIC COMPANY, INC.  
P.O. Box 2750  
Honolulu, HI 96840-0001

WARREN S. BOLLMEIER II  
PRESIDENT  
HAWAII RENEWABLE ENERGY ALLIANCE  
46-040 Konane Place 3816  
Kaneohe, HI 96744

CARL FREEDMAN  
HAIKU DESIGN & ANALYSIS  
4234 Hana Hwy.  
Haiku, HI 96708

GERALD A. SUMIDA, ESQ.  
TIM LUI-KWAN, ESQ.  
NATHAN C. SMITH, ESQ.  
CARLSMITH BALL LLP  
ASB Tower, Suite 2200  
1001 Bishop Street  
Honolulu, HI 96813

Attorneys for HAWAII HOLDINGS, LLC, dba FIRST WIND HAWAII

Certificate of Service  
Page 2

GREGG J. KINKLEY, ESQ.  
DEPUTY ATTORNEY GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL  
STATE OF HAWAII  
425 Queen Street  
Honolulu, HI 96813

Attorney for the DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT, AND TOURISM

MARK DUDA  
PRESIDENT  
HAWAII SOLAR ENERGY ASSOCIATION  
P.O. Box 37070  
Honolulu, HI 96837

SCHLACK ITO LOCKWOOD PIPER & ELKIND  
DOUGLAS A. CODIGA, ESQ.  
Topa Financial Center  
745 Fort Street, Suite 1500  
Honolulu, HI 96813

Attorney for BLUE PLANET FOUNDATION